

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
MBHB Case No. 05-864**

IN THE APPLICATION OF:	)	
	)	
Mullane et al.	)	Examiner: TBA
	)	
Serial No. 10/552,967	)	
	)	Group Art Unit: TBA
International Application No. PCT/EO4/00056	)	
	)	Confirmation No. 1659
I.A. Filing Date: April 4, 2004	)	
	)	
Title Method and System for Continuous	)	
Sweeping of a Tunable Laser	)	

**TRANSMITTAL LETTER**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

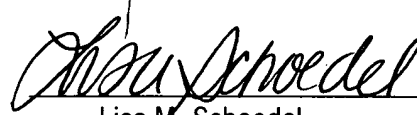
Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Response to Notification of Missing Requirements;
  - b. Executed Declaration and Power of Attorney;
  - c. Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected office (DO/EO/US);
  - d. Petition for One-Month Extension of Time; and
  - e. Postcard.
2. With respect to additional fees:
  - a.   X   Attached is a check in the amount of \$250.00.
  - b.   X   Charge any additional fees or credit any overpayment to our Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 28, 2006

By



Lisa M. Schoedel  
Reg. No. 53,564

09/06/2006 LLANDGRA 00000038 10552967

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**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

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Sweeping of a Tunable Laser	)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Response to Notification of Missing Requirements Under 35 U.S.C. 371,  
dated May 30, 2006, there are enclosed herewith:

- (a) Declaration & Power of Attorney executed on behalf of Tommy Mullane, David McDonald, Thomas Farrell, Ciaran Polley and Peter B. O'Connor;
- (b) Our check in the amount of \$250.00 to cover the extension fee;
- (c) Request for One-Month Extension of Time; and
- (d) A copy of Notification for Missing Requirements.


If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to McDonnell

Boehnen Hulbert & Berghoff LLP, Account No. 13-2490.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully Submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Date: August 28, 2006

By   
Lisa M. Schoedel  
Reg. No. 53,564



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,967	Tommy Mullane	05-864

Lisa m Schoedel  
McDonnell Boehnen Hulbert & Berghoff  
Suite 3100  
300 South Wacker Drive  
Chicago, IL 60606

**DOCKETED**

JUN - 5 2006

DUE DATE:

BY:

7-30-06

INTERNATIONAL APPLICATION NO.

PCT/IE04/00056

I.A. FILING DATE

PRIORITY DATE

04/14/2004

04/14/2003

CONFIRMATION NO. 1659

371 FORMALITIES LETTER



\*OC000000018977702\*

Date Mailed: 05/30/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/13/2005
- Copy of the International Search Report filed on 10/13/2005
- Preliminary Amendments filed on 10/13/2005
- Information Disclosure Statements filed on 02/13/2006
- Request for Immediate Examination filed on 10/13/2005
- U.S. Basic National Fees filed on 10/13/2005
- Priority Documents filed on 10/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,967	PCT/IE04/00056	05-864

FORM PCT/DO/EO/905 (371 Formalities Notice)